



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/410,825	10/01/1999	ARTHUR WILLARD CHAFFEE	027756-0101	7525

7590 11/07/2005
FOLEY & LARDNER
2029 CENTURY PARK EAST
35TH FLOOR
LOS ANGELES, CA 900673021

EXAMINER

SUBRAMANIAN, NARAYANSWAMY

ART UNIT PAPER NUMBER

3624

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

NOV 07 2005

GROUP 3600

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/410,825
Filing Date: October 01, 1999
Appellant(s): CHAFFEE, ARTHUR WILLARD

Ronald Coslick (Reg. No. 36,489)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 8, 2005 appealing from the Office action mailed May 21, 2004.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,442,533 B1	HINKLE	8-2002
2002/0065752 A1	LEWIS	5-2002

6,236,980 B1

REESE

5-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

- (a) Claims 71-140, 152 and 153 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinkle (US Patent 6,442,533 B1) in view of Lewis (US Patent 2002/0065752 A1) and further in view of Reese (US Patent 6,236,980 B1).

With reference to Claims 71 and 152, Hinkle discloses a computer implemented method and a programmable device including computer readable media for storing programmable code for producing a financial position report for an investment portfolio, the method comprising: obtaining single entry transaction data records for individual transactions of the investment portfolio; obtaining prices for investments held in the investment portfolio; calculating current double entry asset, liability and equity balances for the investment portfolio as a whole using the transaction data records and the obtained prices, wherein the sum of the portfolio asset balances equals the sum of the portfolio liability balances and the portfolio equity balances, and wherein the liability balances include balances that reflect obligations that would result if all investments of the investment portfolio were liquidated at said obtained prices; and generating a financial position report for the portfolio that presents the asset, liability and equity balances of the portfolio in a double entry format (See Hinkle Abstract, Figures 2B, 4D, 9A-15, Column 1 lines 45-51, 58-67, Column 3 lines 17-62, Column 4 line 66- Column 5 line 5, Column 8 line 35 - Column 9 line 45, Column 13 lines 61-667, Column 14 lines 20-46 and claim 1).

Hinkle does teach the steps of receiving user input data representing a request for a report for the investment portfolio; obtained prices are current prices and using hyperlinks associated with various items to retrieve reports corresponding to those items; transmitting financial position report to the user; and in response to receiving user input data representing user selection of one of said hyperlinks associated with one of said items, transmitting a report to the user supporting the item associated with the selected hyperlink.

Lewis teaches the steps of receiving user input data representing a request for a report for the investment portfolio (See Lewis Paragraphs 36 and 152-154); obtained prices are current or projected prices (See Lewis Paragraphs 8 and 13-20) and transmitting financial position report to the user (See Lewis Paragraphs 145 and 151).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the steps taught by Lewis to the invention of Hinkle. The combination of the teaching taken as a whole suggests that investors would have benefited from having the reports about the asset, liability and equity balances of their portfolio in real time.

Hinkle and Lewis combined do not explicitly teach the steps of using hyperlinks associated with various items to retrieve reports corresponding to those items and in response to receiving user input data representing user selection of one of said hyperlinks associated with one of said items, transmitting a report to the user supporting the item associated with the selected hyperlink.

Reese teaches the steps of using hyperlinks associated with various items to retrieve reports corresponding to those items and in response to receiving user input data representing user selection of one of said hyperlinks associated with one of said items, transmitting a report to the user supporting the item associated with the selected hyperlink (See Reese Column 4 lines 38-40, Column 5 lines 1-31, Column 33 lines 36-59, Column 63 line 59 - Column 64 line 25).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the steps taught by Reese to the invention of Hinkle. The combination of the teaching taken as a whole suggests that investors would have benefited from being able to navigate from one report to another in real time without having to type the location address of those reports.

With reference to claims 72-140 and 153, Hinkle, Lewis and Reese combined teach the features in these claims. Each of the dependent claims was fully addressed in the previous prosecution of the case and hence they were not repeated in the last office action. However for the sake of completeness and clarity they are repeated below.

With reference to Claim 72, Lewis discloses a method of claim 71 wherein a transaction data record comprises a date, an identifier of a security, a number of shares, a transaction price, and a transaction type. (See Lewis Page 8 Paragraph 101)

With reference to Claim 73, Lewis discloses a method of claim 72 wherein the transaction data record further comprises a cash disbursed amount. (See Lewis Page 5 Paragraph 70)

With reference to Claim 74, Lewis discloses a method of claim 73 wherein the transaction data record further comprises a margin-borrowed amount. (See Lewis Page 10 Paragraph 127 and Page 11 Paragraph 138)

With reference to Claim 75, Lewis discloses a method of claim 71 further comprising receiving transaction data characterizing a hypothetical what-if transaction. (See Lewis Page 3 Paragraphs 23 and 33). The tailoring of the process by the user is interpreted to include the step

With reference to Claim 76, Lewis discloses a method of claim 71 wherein the asset balances include a cash balance. (See Lewis Page 3 Paragraph 26)

With reference to Claim 77, Lewis discloses a method of claim 76, wherein the cash balance is associated with a hyperlink to a cash balance report. (See discussion of claim 71 above)

With reference to Claim 78, Lewis discloses a method of claim 77, wherein the cash balance report describes cash transactions of the portfolio and a cash balance remaining after each of said cash transactions. (See Lewis Page 3 Paragraph 26)

With reference to Claim 79, Lewis discloses a method of claim 71 wherein the securities current basis balance is associated with a hyperlink to a portfolio status report. (See Lewis Page 3 Paragraph 26)

With reference to Claim 80, Lewis discloses a method of claim 79 wherein the securities current basis balance is associated with a hyperlink to a portfolio status report. (See discussion of claim 71 above)

Art Unit: 3624

With reference to Claim 81, Lewis discloses a method of claim 80, wherein the portfolio status report includes current value and gain and loss data for securities currently held in the portfolio. (See Lewis Page 3 Paragraph 26)

With reference to Claim 82, Lewis discloses a method of claim 81, wherein the current value and gain and loss data are calculated using real time price data. (See Lewis Page 3 Paragraphs 24 and 26)

With reference to Claim 83, Lewis discloses a method of claim 71 wherein the liability balances include a margin-borrowed balance. (See Lewis Page 10 Paragraph 127 and Page 11 Paragraph 138)

With reference to Claim 84, Lewis discloses a method of claim 83, wherein the margin-borrowed balance is associated with a hyperlink to a margin borrowed balance report. (See discussion of claim 71 above)

With reference to Claim 85, Lewis discloses a method of claim 84, wherein the margin borrowed balance report describes margin transactions of the portfolio and a margin borrowed balance remaining after each of said margin transactions. (See Lewis Page 3 Paragraph 26)

With reference to Claim 86, Lewis discloses a method of claim 71 wherein the liability balances include a margin interest balance. (See Lewis Page 3 Paragraph 26, Page 4 Paragraph 36 and Page 5 Paragraph 70) Margin maintenance amounts and interests are interpreted to include margin interest cost and balance.

With reference to Claim 87, Lewis discloses a method of claim 86, wherein the margin interest balance is associated with a hyperlink to a margin interest payable report. (See discussion of claim 71 above)

With reference to Claim 88, Lewis discloses a method of claim 87, wherein the margin interest payable report describes margin interest transactions of the portfolio and a margin interest balance remaining after each of said margin interest transactions. (See Lewis Page 3 Paragraph 26, Page 4 Paragraph 36 and Page 5 Paragraph 70)

With reference to Claim 89, Lewis discloses a method of claim 71 wherein the liability balances include a taxes payable balance. (See Lewis Page 3 Paragraph 26) Payables are interpreted to include taxes payable also.

With reference to Claim 90, Lewis discloses a method of claim 89 wherein the taxes payable balance is associated with a hyperlink to a taxes payable report that displays short-term and long-term realized and unrealized gains and losses for securities currently held in the portfolio, short-term and long-term taxes payable for realized and unrealized gains and losses for said securities, and short-term and long-term taxes paid for realized gains and losses of said securities. (See discussion of claim 71 above)

With reference to Claim 91, Lewis discloses a method of claim 90 wherein the unrealized gains and losses and the short-term and long-term taxes payable for said realized and unrealized gains and losses are calculated using real time price data. (See Lewis Page 3 Paragraphs 23, 24 and 26)

With reference to Claim 92, Lewis discloses a method of claim 91 wherein the taxes payable include federal and state taxes that are calculated in accordance with user defined

Art Unit: 3624

tax rates. (See Lewis Page 3 Paragraph 36) User modified business rules are interpreted to include user defined tax rates also.

With reference to Claim 93, Lewis discloses a method of claim 71 wherein the equity balances include a cash invested balance. (See Lewis Page 3 Paragraph 23)

With reference to Claim 94, Lewis discloses a method of claim 93, wherein the cash invested balance is associated with a hyperlink to a cash invested report. (See discussion of claim 71 above)

With reference to Claim 95, Lewis discloses a method of claim 94, wherein the cash invested report describes cash invested transactions of the portfolio and a cash invested balance remaining after each of said cash invested transactions. (See Lewis Page 3 Paragraph 26)

With reference to Claim 96, Lewis discloses a method of claim 71 wherein the equity balances include a net worth balance. (See Lewis Page 4 Paragraph 36 and Page 5 paragraph 70) The calculations are interpreted to include net worth calculations also.

With reference to Claim 97, Lewis discloses a method of claim 96 wherein the net worth balance is associated with a hyperlink to a net worth report. (See discussion of claim 71 above)

With reference to Claim 98, Lewis discloses a method of claim 97, wherein the net worth report includes gains and losses for securities of the portfolio, said gains and losses accounting for commissions, margin interest, and taxes. (See Lewis Page 4 Paragraph 36 and Page 5 Paragraph 70)

With reference to Claim 99, Lewis discloses a method of claim 98, wherein said gains and losses include unrealized gains and losses for securities currently held in the portfolio that are calculated using real time price data to provide real time unrealized gains and losses. (See Lewis Page 3 Paragraphs 24 - 26, Page 4 Paragraph 36 and Page 5 Paragraph 70)

With reference to Claim 100, Lewis discloses a method of claim 71 wherein the balances are calculated using real time price data to provide a real time financial position report. (See Lewis Page 3 Paragraph 24-26 and discussion of claim 71 above)

With reference to Claim 101, Lewis discloses a method of claim 71, wherein the method is performed in response to a request from a user for the financial position report. (See Lewis Page 3 Paragraph 23)

With reference to Claim 102, Lewis discloses a method of claim 101, wherein the request is received through the Internet. (See Lewis Page 3 Paragraph 29)

With reference to Claim 103, Lewis discloses a method of claim 71 wherein the transaction data records are accessed from a remote server through the Internet. (See Lewis Page 3 Paragraph 29)

With reference to Claim 104, Lewis discloses a method of claim 71 further comprising: calculating revenue and expense balances for the investment portfolio as a whole during a period of time using the transaction data records, wherein the sum of the revenue balances less the sum of the expense balances equals the net worth after taxes of the portfolio as a whole during said period of time; and generating reports supporting each of said revenue and expense balances and said net worth after taxes, wherein said

Art Unit: 3624

financial position report further comprises a profit and loss section presenting said revenue and expense balances and said net worth after taxes for said period of time, wherein each of the respective revenue and expense balances is associated with a hyperlink to a corresponding report supporting the respective balance, and wherein the net worth after taxes is associated with a hyperlink to a corresponding report supporting said net worth after taxes. (See discussion of Claim 71 above)

With reference to Claim 105, Lewis discloses a method of claim 104 wherein the revenue balances include a gains and losses balance. (See Lewis Page 3 Paragraph 26, Page 4 Paragraph 36 and discussion of Claim 71 above)

With reference to Claim 106, Lewis discloses a method of claim 105, wherein the gains and losses balance is associated with a hyperlink to gains and losses balance report. (See discussion of Claim 71 above)

With reference to Claim 107, Lewis discloses a method of claim 106, wherein the gains and losses balance report presents gross gains and losses excluding commissions and costs. (See Lewis Page 3 Paragraph 26, Page 4 Paragraph 36 and discussion of Claim 71 above)

With reference to Claim 108, Lewis discloses a method of claim 106 wherein gains and losses balance report presents net gains and losses including commissions and costs. (See Lewis Page 3 Paragraph 26, Page 4 Paragraph 36 and Page 5 Paragraph 70)

Financial terms are interpreted to include commissions and tax liability.

With reference to Claim 109, Lewis discloses a method of claim 106 wherein the said gains and losses balance report includes bought value and realized and unrealized

Art Unit: 3624

gains and losses of the portfolio. (See Lewis Page 3 Paragraph 26, Page 4 Paragraph 36 and Page 5 Paragraph 70)

With reference to Claim 110, Lewis discloses a method of claim 104 wherein said revenue balances include a dividends and interest balance. (See Lewis Paragraphs 70 and 99)

With reference to Claim 111, Lewis discloses a method of claim 110 wherein said dividends and interest balance is associated with a hyperlink to a dividends and interest balance report. (See discussion of Claim 71 above)

With reference to Claim 112, Lewis discloses a method of claim 111 wherein the dividends and interest balance report describes dividend and interest transactions of the portfolio during said period and a dividends and interest balance remaining after each of said dividend and interest transactions. (See Lewis Paragraphs 70 and 99)

With reference to Claim 113, Lewis discloses a method of claim 104 wherein said expenses balances include a commissions and costs balance. (See Lewis Paragraphs 26 and 70)

With reference to Claim 114, Lewis discloses a method of claim 113 wherein said commissions and costs balance is associated with a hyperlink to a commissions and costs balance report. (See discussion of Claim 71 above)

With reference to Claim 115, Lewis discloses a method of claim 114 wherein the commissions and costs balance report describes commission and cost transactions of the portfolio during said period and a commissions and costs balance remaining after each of said commission and cost transactions. (See Lewis Paragraphs 26 and 70)

With reference to Claim 116, Lewis discloses a method of claim 104 wherein said expenses balances include a margin interest balance. (See Lewis Paragraphs 26 and 70)

With reference to Claim 117, Lewis discloses a method of claim 116, wherein said margin interest balance is associated with a hyperlink to a margin interest balance report. (See discussion of Claim 71 above)

With reference to Claim 118, Lewis discloses a method of claim 117 wherein the margin interest balance report describes margin interest transactions of the portfolio during said period and a margin interest balance remaining after each of said margin interest transactions. (See Lewis Paragraphs 102, 127 and 138)

With reference to Claim 119, Lewis discloses a method of claim 104 wherein said expense balances include a state and federal taxes balance. (See Lewis Page 3 Paragraphs 26 and 33, Page 4 Paragraph 36) User modified business rules are interpreted to include user defined tax rates also, which affect the calculation of the said balances.

With reference to Claim 120, Lewis discloses a method of claim 119 wherein said state and federal taxes balance is associated with a hyperlink to a tax expenses report that displays short-term and long-term realized and unrealized gains and losses, and short-term and long-term tax expenses for said realized and unrealized gains and losses. (See discussion of claim 71 above)

With reference to Claim 121, Lewis discloses a method of claim 120 wherein said unrealized gains and losses and said short-term and long-term tax expenses for said realized and unrealized gains and losses are calculated using real time price data to

provide real time unrealized gains and losses and real time short-term and long-term tax expenses for said realized and unrealized gains and losses.

With reference to Claim 122, Lewis discloses a method of claim 120 wherein said tax expenses include federal and state taxes that are calculated in accordance with user defined tax rates. (See Lewis Page 3 Paragraphs 26 and 33, Page 4 Paragraph 36) User modified business rules are interpreted to include user defined tax rates also.

With reference to Claim 123, Lewis discloses a method of claim 104 wherein said balances are calculated using real time price data to provide a real time profit and loss activity report. (See Lewis Page 3 Paragraphs 23-26)

With reference to Claim 124, Lewis discloses a method of claim 104, further comprising: receiving transaction data characterizing a hypothetical what-if transaction; recalculating said asset, liability and equity balances, said revenue and expense balances, and said net worth after taxes for the portfolio using said transaction data records and said what-if transaction data; and presenting said financial position report using said recalculated asset, liability and equity balances, said recalculated revenue and expense balances, and said recalculated net worth after taxes. (See Lewis Page 3 Paragraphs 23, 26 and 33, Page 4 Paragraph 36) User modified business rules are interpreted to include user defined tax rates also. The tailoring of the process by the user is interpreted to include the step of specifying a hypothetical sale and generating a report based on the hypothetical sale. The steps of recalculating said asset, liability and equity balances for the portfolio using said

Art Unit: 3624

transaction data records and said what-if transaction data; and presenting said financial position report using said recalculated said balances are implied by the combined teachings of Hinkle and Lewis.

With reference to Claim 125, Lewis discloses a method of claim 71, further comprising: calculating a performance measure indicating a rate of return for the portfolio as a whole that accounts for holding periods of individual securities currently or previously held in the portfolio using said transaction data records; and generating a report said performance measure, wherein said financial position report further comprises said performance measure, and wherein said performance measure is associated with a hyperlink to a corresponding report supporting the performance measure. (See Lewis Paragraphs 33, 36, 106 and 150 and discussion of claim 71 above) The customization of business rules includes reporting returns on individual securities basis and also on a portfolio basis.

With reference to Claim 126, Lewis discloses a method of claim 125, wherein the performance measure is a return on securities associated with a hyperlink to a return on securities report. (See discussion of claim 71 above)

With reference to Claim 127, Lewis discloses a method of claim 126, wherein the return on securities report presents gross gains and losses and gross return on investments excluding commissions and costs. (See Lewis Paragraphs 26, 33, 36 and 70) The business rules can be set by the user to present the gains/losses on a gross basis or a net basis.

With reference to Claim 128, Lewis discloses a method of claim 126, wherein the return on securities report presents net gains and losses and net return on investments including commissions and costs. (See Lewis Paragraphs 26, 33; 36 and 70) The business rules can be set by the user to present the gains/losses on a gross basis or a net basis.

With reference to Claim 129, Lewis discloses a method of claim 126, wherein the return on securities report includes months held, gains and losses and return on investment on a monthly and annual basis. (See Lewis Paragraphs 29, 33, 100 and 150)

With reference to Claim 130, Lewis discloses a method of claim 129, wherein the return on securities report includes individual investments. (See Lewis Paragraphs 33, 36 and 106) The customization of business rules includes reporting returns on individual securities basis and also on a portfolio basis.

With reference to Claim 131, Lewis discloses a method of claim 130, wherein the said return on securities report includes the overall portfolio. (See Lewis Paragraphs 99, 100 and 138)

With reference to Claim 132, Lewis discloses a method of claim 125, wherein the performance measure is a cash return on securities associated with a hyperlink to a cash return on securities report that presents a return on cash invested. (See discussion of claim 71 above)

With reference to Claim 133, Lewis discloses a method of claim 132, wherein the cash return on securities report presents gross gains and losses and gross return on investments excluding commissions and costs. (See Lewis Paragraphs 26, 33, 36 and 70)

Art Unit: 3624

The business rules can be set by the user to present the gains/losses on a gross basis or a net basis.

With reference to Claim 134, Lewis discloses a method of claim 132, wherein the cash return on securities report presents net gains and losses and net return on investments including commissions and costs. (See Lewis Paragraphs 26, 33, 36 and 70) The business rules can be set by the user to present the gains or losses on a gross basis or a net basis.

With reference to Claim 135, Lewis discloses a method of claim 132, wherein the cash return on securities report includes months held, gains and losses, and return on investments on a monthly and annual basis. (See Lewis Paragraphs 29, 33, 100 and 150)

With reference to Claim 136, Lewis discloses a method of claim 135, wherein the return on securities report includes the overall portfolio. (See Lewis Paragraphs 99, 100 and 138)

With reference to Claim 137, Lewis discloses a method of claim 125, wherein said method is performed in response to a request from a user for the performance report. (See Lewis Paragraphs 29, 33 and 100)

With reference to Claim 138, Lewis discloses a method of claim 137, wherein said request specifies a period of time for the performance report. (See Lewis Page 12 Paragraph 150)

With reference to Claim 139, Lewis discloses a method of claim 137, wherein said request is received through the Internet. (See Lewis Page 3 Paragraph 29)

With reference to Claim 140, Lewis discloses a method of claim 125, wherein said transaction data records are accessed from a remote server through the Internet. (See Lewis Page 3 Paragraph 29)

(10) Response to Argument

10 A. Overview

The Applicant's invention involves aggregating accounting data pertaining to an investment portfolio that is old and well known in the art and using new technology to present the information to a user. The step of aggregating accounting data to present the data in an income statement format and a balance sheet format is as old as accounting itself. The use of computers and computer networks to aggregate data to present the data is also old and well known in the art. The use of Hyperlinks especially in the investment field is old and well known. Hyperlinks provide a means to present the information in more detail in a separate window for users who may be interested in such detail. Hence the Applicant's invention is nothing more than using new technology to aggregate and present old and well known information to a user.

Hinkle addresses the accounting information needs of an investment portfolio owner (See Hinkle Column 8 line 45 - Column 9 line 2) including capturing and/or updating detailed data of portfolio transactions that are not otherwise effectively captured for proper accounting and auditing (See Hinkle Column 9 lines 25-30) and providing specific types of information or reports that useful for the users (See Column 14 lines 21-46) according user-definable needs (See Hinkle Column 10 lines 46-51).

Lewis addresses the investor needs of receiving user input data representing a request for a report for the investment portfolio (See Lewis Paragraphs 36 and 152-154), obtaining prices are current or projected prices (See Lewis Paragraphs 8 and 13-20) and transmitting financial position report to the user (See Lewis Paragraphs 145 and 151). The reports concern investment portfolios (See Lewis Paragraphs 52, 61, 99, 114 and 138), calculation of current asset and liability items like cash, margin maintenance amounts, net payables, receivables and other income statement and balance sheet items (See Lewis Paragraphs 26, 33, and 36) and updated value of these items (See Lewis Paragraph 29, 33, 35 and 36).

Reese addresses the investor needs of using hyperlinks associated with various items pertaining to investment securities (See Reese Abstract) to retrieve reports corresponding to those items and in response to receiving user input data representing user selection of one of said hyperlinks associated with one of said items, transmitting a report to the user supporting the item associated with the selected hyperlink (See Reese Column 4 lines 38-40, Column 5 lines 11-31, Column 33 lines 36-59, Column 63 line 59 - Column 64 line 25). The use of Hyperlinks in Reese is in the field of investment securities and financial decision-making and hence very relevant to the current invention.

Hence all the cited references are in the endeavor of investment and portfolio management and they all address specific information needs of the user/investor in the management of their investment portfolios. Hence it would have been obvious to one with ordinary skill in the art to combine the disclosures of these cited references at

Art Unit: 3624

the time of the invention. The combination of these disclosures suggest that users would have benefited from the use of new technology to aggregate and present old and well known information to a user.

10 B. Detailed Response to arguments against the rejections

10 B1. Claims 71 and 152

For the purpose of clarity the Examiner has broken down the elements of the cited references against the steps of the claim.

obtaining single entry transaction data records for individual transactions of the investment portfolio (See Hinkle Col 8 lines 36-38 and 64-67);

calculating current double entry asset, liability and equity balances for the investment portfolio as a whole using the transaction data records and obtained prices, wherein the sum of the portfolio asset balances equals the sum of the portfolio liability balances and the portfolio equity balances (See Figures 2B, 4D, 15, These figures disclose the generation of a balance sheet for the customer and it is old and well known that in a balance sheet the sum of the portfolio asset balances equals the sum of the portfolio liability balances and the portfolio equity balances), and

wherein the liability balances include balances that reflect obligations that would result if all investments of the investment portfolio were liquidated at said obtained prices (As acknowledged by the appellant on page 12 of the brief, the Balance Sheet in Hinkle is based on historic data obtained from transactions). Nowhere in the current or past office actions is it asserted by the Examiner, that Hinkle's Balance sheet is based on current

Art Unit: 3624

prices. Hence the Appellant's arguments with regard to Hinkle's system not producing current valuation information are moot.

generating a financial position report for the portfolio that presents the asset, liability and equity balances of the portfolio in a double entry format (See Figures 2B, 4D, 15, a balance sheet is a financial position report and hence Hinkle does teach this limitation). The Examiner has not relied on Hinkle for limitations including "current values for the balance sheet items and providing hyperlinks between items on the balance sheet and supporting reports". Hence the Appellant's arguments with regard to Hinkle's system not disclosing these limitations are moot.

With regard to other cited portions of Hinkle, these were cited by the Examiner to help the Appellant's understanding of how the Hinkle reference teaches the limitations in the claims. Piecemeal analysis of the cited portions will not help in understanding the overall process and Hinkle's teaching of the cited limitations in the claim. In summary, the Appellant is arguing limitations in the claim for which Hinkle was not relied upon.

With regard to Lewis reference disclosing the steps of receiving user input data representing a request for a report for the investment portfolio (See Lewis Paragraphs 36 and 152-154); obtained prices are current or projected prices (See Lewis Paragraphs 8 and 13-20) and transmitting financial position report to the user (See Lewis Paragraphs 145 and 151), the Appellant admits (on page 19 of the brief) that are individually correct. As discussed in the overview above, the Lewis reference addresses the financial information needs of the portfolio owners.

With regard to Reese reference, Reese teaches the steps of using hyperlinks associated with various items to retrieve reports corresponding to those items and in response to receiving user input data representing user selection of one of said hyperlinks associated with one of said items, transmitting a report to the user supporting the item associated with the selected hyperlink (See Reese Column 4 lines 38-40, Column 5 lines 11-31, Column 33 lines 36-59, Column 63 line 59 - Column 64 line 25) The concept relied upon in the Reese reference is the use of hyperlink to provide more information about the item that is hyperlinked. The Reese reference is in the field of investment securities and financial decision-making and hence very relevant to the current invention.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In summary, each of the limitations in claims 70 and 152, are taught by the combined disclosures of Hinkle, Lewis and Reese. All the three references are in the field of investments and finance and all three provide the user/investor specific information needs of the user/investor in the management of their investment portfolios. Hence it would have been obvious to one with ordinary skill in the art to combine the disclosures of these cited references at the time of the invention. The combination of these disclosures suggest that users would have benefited from the use of new technology to aggregate and present old and well known information to a user.

Art Unit: 3624

10 B2. Dependent Claims

Each of the dependent claims was fully addressed in the previous prosecution of the case and hence they were not repeated in the last office action. However for the sake of completeness and clarity they are repeated above. The appellant alleges that the prior art does not show the features claimed in the dependent claims. However the Appellant has failed to provide reasons as to why the prior art fails to show the claimed features.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Dr. Narayanswamy Subramanian *N.S.*
Examiner, Art Unit 3624

October 30, 2005

Conferees:

Vincent Millin
SPE, Art Unit 3624



J.T.

Joseph Thomas
SPE, Art Unit 3626